

No.

9800326



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

NSH Research Foundation

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

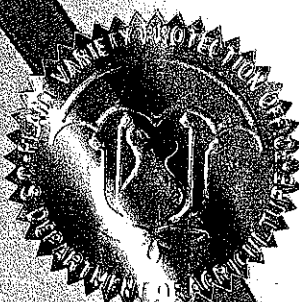
SOYBEAN

'Norpro'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this fifth day of February, in the year of our Lord two thousand one.

Alvin R. Ford
Acting Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

[Signature]
Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME
NDSU Research Foundation		ND92-1111	Norpro
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)		5. TELEPHONE (include area code)	FOR OFFICIAL USE ONLY PVPO NUMBER 9800326
c/o Executive Director PO Box 5014 Fargo, ND 58105-5014		701-231-8931	
		6. FAX (include area code)	FILING DATE
		701-231-1013	6/17/98
7. GENUS AND SPECIES NAME	8. FAMILY NAME (Botanical)		FILING AND EXAMINATION FEE:
Glycine max	Leguminosae		\$ 2,450
9. CROP KIND NAME (Common name)			CERTIFICATION FEE:
Soybean			\$ 320 ⁰⁰
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name)			DATE
NDSU Research Foundation - 501(c) 3 Corporation			10/16/00
11. IF INCORPORATED, GIVE STATE OF INCORPORATION		12. DATE OF INCORPORATION	
North Dakota		May, 1989	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS			14. TELEPHONE (include area code)
Theodore C. Helms Dept. of Plant Sciences North Dakota State University Fargo, ND 58105-5051			701-231-8136
Dale Zetocha Executive Director NDSU Research Foundation PO Box 5014 Fargo, ND 58105-5014			15. FAX (include area code)
			701-231-8474
16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)			
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Applicant's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)			
17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 33(a) of the Plant Variety Protection Act)			
<input checked="" type="checkbox"/> YES (If "yes," answer items 18 and 19 below) <input type="checkbox"/> NO (If "no," go to item 20)			
18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?		19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?			
<input checked="" type="checkbox"/> YES (If "yes," give names of countries and dates) <input type="checkbox"/> NO			
U.S.A. - release date April 29, 1998			
21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.			
The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.			
Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF APPLICANT (Owner(s))		SIGNATURE OF APPLICANT (Owner(s))	
Dale Zetocha			
NAME (Please print or type)		NAME (Please print or type)	
Dale Zetocha			
CAPACITY OR TITLE	DATE	CAPACITY OR TITLE	DATE
Executive Director	6/16/98		

Exhibit A**Origin and Breeding History of the Variety NORPRO**

Norpro, tested as ND no., 92-1111, was derived from the cross Ozzie/Proto, made in 1989. Ozzie and Proto are released cultivars developed by the University of Minnesota, St. Paul. The cross was made in the summer of 1989 in Fargo, ND. The F₁ plant was grown during the winter of 1989-1990 in Chile, S.A. The F₂ population was grown in the summer of 1990 and advanced to the F₃ generation by the single-pod-bulk method. The F₃ population was grown in the Chile winter nursery. The F₄ population was grown in 1991 in Fargo, ND. F₄ plants from the segregating population were individually threshed in the fall of 1991 and F_{4:5} plant rows were selected in 1992. ND92-1111 was first tested in replicated yield trials in 1993. Norpro was evaluated in the Uniform Regional Soybean Tests: Northern States as a Maturity Group 0 experimental line in 1996 and 1997. Individual F_{5:8} plants were threshed in 1995 and 50 single plant selections were evaluated for uniformity in the winter of 1995-1996 at Los Andes, Chile, S.A.. These 50 purification rows were individually harvested and bulked after evaluation of hilum color, plant maturity, flower color, plant height, pubescence color, seed coat luster, and pod color. Breeder seed of ND92-1111 was increased in the summer of 1996. In the summer of 1997

the Foundation seed of ND92-1111 was increased at Casselton, ND. Norpro was released April 29, 1998 as an F₁₂ generation pure line soybean cultivar and is uniform and stable within commercially acceptable limits. As is true with other soybean cultivars, a small percentage of ~~variants~~ ^{variants of 11 Sept. 2000} ~~errtypes~~ can occur within commercially acceptable limits for almost any characteristic during the course of repeated multiplication.

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Exhibit B

Novelty Statement

1. Norpro was developed primarily for increased yield, suitable maturity for North Dakota, and desirable tofu manufacturing characteristics. Norpro is morphologically different from both parents. Differences exist between certain high molecular weight proteins of Norpro compared to the parental lines Ozzie and Proto in electrophoresis isozyme gels. Photographs of isozyme gels labelled Photo #1, #2, #3 are submitted as attachments to this application. In these three gels, Norpro can be distinguished from the two parents (Ozzie, Proto).
 - a. PHOTO #1 - HyPure Gel PGM
 - b. PHOTO #2 - HyPure Gel ACP
 - c. PHOTO #3 - HyPure Gel PHI
2. Norpro is most similar to the cultivar Proto. However, Norpro can be distinguished from Proto by hila color. Norpro has yellow hila and Proto has buff hila.

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U.S. DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 LIVESTOCK, MEAT, AND POULTRY DIVISION
 PLANT VARIETY PROTECTION OFFICE
 BELTSVILLE, MARYLAND 20705

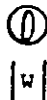
EXHIBIT C
(Soybean)

OBJECTIVE DESCRIPTION OF VARIETY
 SOYBEAN (*Glycine max* L.)

NAME OF APPLICANT(S) Theodore C. Helms	TEMPORARY DESIGNATION ND92-1111	VARIETY NAME Norpro
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) P.O. Box 5051 Fargo, ND 58105-5051		FOR OFFICIAL USE ONLY PVPO NUMBER 9800326

Choose the appropriate response which characterizes the variety in the features described below. When the number of significant digits in your answer is fewer than the number of boxes provided, place a zero in the first box when number is 9 or less (e.g.,). Starred characters ★ are considered fundamental to an adequate soybean variety description. Other characters should be described when information is available.

1. SEED SHAPE:



1 = Spherical (L/W, L/T, and T/W ratios = < 1.2)
 3 = Elongate (L/T ratio > 1.2; T/W = < 1.2)

2 = Spherical Flattened (L/W ratio > 1.2; L/T ratio = < 1.2)
 4 = Elongate Flattened (L/T ratio > 1.2; T/W > 1.2)

★ 2. SEED COAT COLOR: (Mature Seed)

1 = Yellow

2 = Green

3 = Brown

4 = Black

5 = Other (Specify) _____

3. SEED COAT LUSTER: (Mature Hand Shelled Seed)

1 = Dull ('Corsoy 79'; 'Braxton')

2 = Shiny ('Nebsoy'; 'Gasoy 17')

★ 4. SEED SIZE: (Mature Seed)

Grams per 100 seeds

★ 5. HILUM COLOR: (Mature Seed)

1 = Buff

2 = Yellow

3 = Brown

4 = Gray

5 = Imperfect Black

6 = Black

7 = Other (Specify) _____

★ 6. COTYLEDON COLOR: (Mature Seed)

1 = Yellow

2 = Green

★ 7. SEED PROTEIN PEROXIDASE ACTIVITY:

1 = Low

2 = High

★ 8. SEED PROTEIN ELECTROPHORETIC BAND:

1 = Type A (SP1^a)2 = Type B (SP1^b)

★ 9. HYPOCOTYL COLOR:

1 = Green only ('Evans'; 'Davis')

2 = Green with bronze band below cotyledons ('Woodworth'; 'Tracy')

3 = Light Purple below cotyledons ('Beeson'; 'Pickett 71')

4 = Dark Purple extending to unifoliate leaves ('Hodgson'; 'Coker Hampton 266A')

★ 10. LEAFLET SHAPE:

1 = Lanceolate

2 = Oval

3 = Ovate

4 = Other (Specify) _____

11. LEAFLET SIZE:

☐ 2 1 = Small ('Amsoy 71'; 'A5312')
3 = Large ('Crawford'; 'Tracy')

2 = Medium ('Corsoy 79'; 'Gasoy 17')

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12. LEAF COLOR:

☐ 2 1 = Light Green ('Weber'; 'York')
3 = Dark Green ('Gnome'; 'Tracy')

2 = Medium Green ('Corsoy 79'; 'Braxton')

★ 13. FLOWER COLOR:

☐ 2 1 = White 2 = Purple 3 = White with purple throat

★ 14. POD COLOR:

☐ 2 1 = Tan 2 = Brown 3 = Black

★ 15. PLANT PUBESCENCE COLOR:

☐ 1 1 = Gray 2 = Brown (Tawny)

16. PLANT TYPES:

☐ 2 1 = Slender ('Essex'; 'Amsoy 71')
3 = Bushy ('Gnome'; 'Govan') 2 = Intermediate ('Amcor'; 'Braxton')

★ 17. PLANT HABIT:

☐ 3 1 = Determinate ('Gnome'; 'Braxton')
3 = Indeterminate ('Nebsoy'; 'Improved Pelican') 2 = Semi-Determinate ('Will')

★ 18. MATURITY GROUP:

☐ 0 ☐ 3 1 = 000 2 = 00 3 = 0 4 = I 5 = II 6 = III 7 = IV 8 = V
9 = VI 10 = VII 11 = VIII 12 = IX 13 = X

★ 19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

BACTERIAL DISEASES:

★ ☐ 0 Bacterial Pustule (*Xanthomonas phaseoli* var. *sojensis*)

★ ☐ 0 Bacterial Blight (*Pseudomonas glycinea*)

★ ☐ 0 Wildfire (*Pseudomonas tabaci*)

FUNGAL DISEASES:

★ ☐ 0 Brown Spot (*Septoria glycines*)

Frogeye Leaf Spot (*Cercospora sojina*)

★ ☐ 0 Race 1 ☐ 0 Race 2 ☐ 0 Race 3 ☐ 0 Race 4 ☐ 0 Race 5 ☐ 0 Other (Specify)

☐ 0 Target Spot (*Corynespora cassiicola*)

☐ 0 Downy Mildew (*Peronospora trifoliorum* var. *manshurica*)

☐ 0 Powdery Mildew (*Microsphaera diffusa*)

★ ☐ 0 Brown Stem Rot (*Cephalosporium gregatum*)

☐ 0 Stem Canker (*Diaporthe phaseolorum* var. *caulivora*)

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant) (Continued)

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FUNGAL DISEASES: (Continued)

- ★ ☐ 0 Pod and Stem Blight (*Diaporthe phaseolorum* var; *sojae*)
- ☐ 0 Purple Seed Stain (*Cercospora kikuchii*)
- ☐ 0 Rhizoctonia Root Rot (*Rhizoctonia solani*)
- Phytophthora Rot (*Phytophthora megasperma* var. *sojae*)
- ★ ☐ 0 Race 1 ☐ 0 Race 2 ☐ 0 Race 3 ☐ 0 Race 4 ☐ 0 Race 5 ☐ 0 Race 6 ☐ 1 Race 7
- ☐ 0 Race 8 ☐ 0 Race 9 ☐ 0 Other (Specify) _____

VIRAL DISEASES:

- ☐ 0 Bud Blight (Tobacco Ringspot Virus)
- ☐ 0 Yellow Mosaic (Bean Yellow Mosaic Virus)
- ★ ☐ 0 Cowpea Mosaic (Cowpea Chlorotic Virus)
- ☐ 0 Pod Mottle (Bean Pod Mottle Virus)
- ★ ☐ 0 Seed Mottle (Soybean Mosaic Virus)

NEMATODE DISEASES:

- Soybean Cyst Nematode (*Heterodera glycines*)
- ★ ☐ 1 Race 1 ☐ 1 Race 2 ☐ 1 Race 3 ☐ 1 Race 4 ☐ Other (Specify) _____
- ☐ 0 Lance Nematode (*Hoplolaimus Colombus*)
- ★ ☐ 0 Southern Root Knot Nematode (*Meloidogyne incognita*)
- ★ ☐ 0 Northern Root Knot Nematode (*Meloidogyne Hapla*)
- ☐ 0 Peanut Root Knot Nematode (*Meloidogyne arenaria*)
- ☐ 0 Reniform Nematode (*Rotylenchulus reniformis*)
- ☐ 0 OTHER DISEASE NOT ON FORM (Specify): _____

20. PHYSIOLOGICAL RESPONSES: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

- ★ ☐ 1 Iron Chlorosis on Calcareous Soil
- ☐ 0 Other (Specify) _____

21. INSECT REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

- ☐ 0 Mexican Bean Beetle (*Epilachna varivestis*)
- ☐ 0 Potato Leaf Hopper (*Empoasca fabae*)
- ☐ 0 Other (Specify) _____

22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED.

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant Shape	Proto	Seed Coat Luster	Ozzie
Leaf Shape	Proto	Seed Size	Lambert
Leaf Color	Proto	Seed Shape	
Leaf Size	Proto	Seedling Pigmentation	

23. GIVE DATA FOR SUBMITTED AND SIMILAR STANDARD VARIETY: Paired Comparison Data

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VARIETY	NO. OF DAYS MATURITY	PLANT LODGING SCORE	CM PLANT HEIGHT	LEAFLET SIZE		SEED CONTENT		SEED SIZE G/100 SEEDS	NO. SEEDS/ POD
				CM Width	CM Length	% Protein	% Oil		
Norpro Submitted	125	2.0	84	6.4	13.3	44.6	16.8	20.1	2.1
Proto Name of Similar Variety	128	2.3	76	7.0	13.1	45.5	16.5	19.0	2.7

PUBLICATIONS USEFUL AS REFERENCE AIDS FOR COMPLETING THIS FORM:

1. Caldwell, B.E., ed. 1973. Soybeans: Improvement, Production, and Uses. Amer. Soc. Agron. Monograph No. 16.
2. Buttery, B.R. and R.I. Buzzell. 1968. Peroxidase activity in seeds of soybean varieties. Crop Sci., 8: 722-725.
3. Hymowitz, T. 1973. Electrophoretic analysis of SBTI-A₂ in the USDA soybean germplasm collection. Crop Sci., 13: 420-421.
4. Payne, R.C. and L.F. Morris. 1976. Differentiation of soybean cultivars by seedling pigmentation patterns. J. Seed Technol. 1: 1-19.

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U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

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Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) NDSU Research Foundation		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER ND92-1111	3. VARIETY NAME Norpro
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) c/o Executive Director P.O. Box 5014 Fargo, ND 58105-5014		5. TELEPHONE (include area code) 701-231-8931	6. FAX (include area code) 701-231-1013
		7. PVPO NUMBER 9800326	
8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
9. Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give name of country <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
10. Is the applicant the original owner? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If no, please answer the following:			
a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)? <input type="checkbox"/> YES <input type="checkbox"/> NO If no, give name of country			
b. If original rights to variety were owned by a company, is the original owner(s) a U.S. based company? <input type="checkbox"/> YES <input type="checkbox"/> NO If no, give name of country			
11. Additional explanation on ownership (If needed, use reverse for extra space): See additional Exhibit E. Statement of the Basis of the Applicant's Ownership included with this application.			

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-5881 (voice) or (202) 720-7808 (TDD). To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.